

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - - X

UNITED STATES OF AMERICA :

- v. -

: **SUPERSEDING INFORMATION**

: S1 16 Cr. 019 (PGG)

MAALIK ALIM JONES, :

Defendant. :

- - - - - X

COUNT ONE

**(CONSPIRACY TO PROVIDE MATERIAL SUPPORT
TO A FOREIGN TERRORIST ORGANIZATION (AL SHABAAB))**

The United States Attorney charges:

1. From at least in or about July 2011, up to and including in or about May 2015, in an offense occurring in and affecting interstate and foreign commerce, and begun and committed in Morocco, Kenya, the United Arab Emirates, Somalia, and elsewhere outside of the jurisdiction of any particular State or district of the United States, MAALIK ALIM JONES, the defendant, who was first brought to and arrested in the Southern District of New York, and others known and unknown, knowingly and willfully did combine, conspire, confederate and agree together and with each other to provide "material support or resources," as that term is defined in Title 18, United States Code, Section 2339A(b), to a foreign terrorist organization,

namely, al Shabaab, which was designated by the United States Secretary of State as a foreign terrorist organization on or about February 26, 2008, and is currently designated as such as of the date of the filing of this Information.

2. It was a part and an object of the conspiracy that MAALIK ALIM JONES, the defendant, and others known and unknown, would and did provide al Shabaab with material support and resources, including personnel, knowing that al Shabaab was a designated terrorist organization (as defined in Title 18, United States Code, Section 2339B(g)(6)), that al Shabaab engages and has engaged in terrorist activity (as defined in section 212(a)(3)(B) of the Immigration and Nationality Act), and that al Shabaab engages and has engaged in terrorism (as defined in section 140(d)(2) of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989), in violation of Title 18, United States Code, Section 2339B.

Overt Acts

3. In furtherance of the conspiracy and to effect the illegal object thereof, MAALIK ALIM JONES, the defendant, and others known and unknown, committed the overt acts set forth below, among others:

a. In or about 2011, JONES, a United States citizen, traveled from the United States to Somalia via Morocco, the United Arab Emirates, and Kenya, for the purpose of joining

al Shabaab.

b. In or about 2011, JONES attended an al Shabaab training camp in Somalia.

c. In or about 2012, JONES engaged in combat on behalf of al Shabaab against soldiers of the Kenyan Government in Somalia.

d. From in or about 2011 through in or about May 2015, on multiple occasions, JONES carried an AK-47 assault rifle while engaged in activities on behalf of al Shabaab in Somalia.

(Title 18, United States Code, Sections 2339B(a)(1), (d)(1)(A), (d)(1)(C), (d)(1)(E), (d)(1)(F), and 3238.)

COUNT TWO

(CONSPIRACY TO RECEIVE MILITARY-TYPE TRAINING FROM A FOREIGN TERRORIST ORGANIZATION (AL SHABAAB))

The United States Attorney further charges:

4. From at least in or about July 2011, up to and including in or about May 2015, in an offense occurring in and affecting interstate and foreign commerce, and begun and committed in Morocco, Kenya, the United Arab Emirates, Somalia, and elsewhere outside of the jurisdiction of any particular State or district of the United States, MAALIK ALIM JONES, the defendant, who was first brought to and arrested in the Southern District of New York, and others known and unknown, knowingly and willfully did combine, conspire, confederate and agree

together and with each other to commit an offense against the United States, to wit, to receive military-type training from and on behalf of al Shabaab, which was designated by the United States Secretary of State as a foreign terrorist organization on February 26, 2008, and is currently designated as such as of the date of the filing of this Information, in violation of Section 2339D of Title 18 of the United States Code.

5. It was a part and an object of the conspiracy that MAALIK ALIM JONES, the defendant, and others known and unknown, would and did receive military-type training from and on behalf of al Shabaab, knowing that al Shabaab was a designated terrorist organization (as defined in Title 18, United States Code, Section 2339D(c)(4)), that al Shabaab had engaged and was engaging in terrorist activity (as defined in section 212(a)(3)(B) of the Immigration and Nationality Act), and that al Shabaab had engaged and was engaging in terrorism (as defined in section 140(d)(2) of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989), in violation of Title 18, United States Code, Section 2339D.

Overt Acts

6. In furtherance of the conspiracy and to effect the illegal object thereof, MAALIK ALIM JONES, the defendant, and others known and unknown, committed the overt acts set forth in paragraph 3 above, which are fully incorporated by reference

herein, among others.

(Title 18, United States Code, Sections 371, 2339D(a), (b)(1),
(b)(3), (b)(5), (b)(6), and 3238.)

COUNT THREE

**(POSSESSING, CARRYING, AND USING FIREARMS DURING AND
IN RELATION TO CRIMES OF VIOLENCE)**

The United States Attorney further charges:

7. From at least in or about July 2011, up to and including in or about May 2015, in an offense begun and committed in Morocco, Kenya, the United Arab Emirates, Somalia, and elsewhere outside of the jurisdiction of any particular State or district of the United States, MAALIK ALIM JONES, the defendant, who was first brought to and arrested in the Southern District of New York, willfully and knowingly, and during and in relation to crimes of violence for which he may be prosecuted in a court of the United States, namely, the offenses charged in Counts One and Two of this Information, did use and carry a firearm and, in furtherance of such crimes, did possess, carry, and use a firearm, and did aid and abet the use, carrying, and possession of a firearm in Somalia, to wit, an AK-47 assault rifle that was capable of automatically firing more than one shot without manual reloading by a single function of the trigger, rocket-propelled grenades ("RPGs"), and other weapons.

(Title 18, United States Code, Sections 924(c)(1)(A),
(c)(1)(B)(ii), 3238, and 2.)

FORFEITURE ALLEGATION

8. As a result of committing the offense alleged in Count One of this Information, MAALIK ALIM JONES, the defendant, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(G) and Title 28, United States Code, Section 2461(c), any and all assets, foreign and domestic, of the defendant; any and all assets, foreign and domestic, affording the defendant a source of influence over any entity or organization engaged in planning or perpetrating said offense; any and all assets, foreign and domestic, acquired or maintained with the intent and for the purpose of supporting, planning, conducting or concealing said offense; any and all assets, foreign and domestic, derived from, involved in, or used or intended to be used to commit said offense, including but not limited to a sum of money in United States currency representing the total amount of the defendant's assets.

Substitute Assets Provision

9. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:
- a. cannot be located upon the exercise of due diligence;
 - b. has been transferred or sold to, or deposited with, a third person;

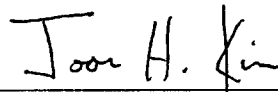
c. has been placed beyond the jurisdiction of the Court;

d. has been substantially diminished in value; or

e. has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p) and Title 28, United States Code, Section 2461(c), to seek forfeiture of any other property of the defendant up to the value of the above forfeitable property.

(Title 18, United States Code, Section 981;
Title 21, United States Code, Section 853; and
Title 28, United States Code, Section 2461.)

A handwritten signature in black ink, reading "Joon H. Kim". The signature is written in a cursive, slightly stylized font. The first name "Joon" is written with a capital 'J' and a lowercase 'o', followed by a period and a capital 'H'. The last name "Kim" is written with a capital 'K' and lowercase 'im'. The signature is positioned above a horizontal line.

JOON H. KIM
Acting United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

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S1 16 Cr. 019 (PGG)

(Title 18, United States Code, Sections
2339B, 371, 2339D, 924(c), 3238 & 2; and
Title 28, United States Code, Section
2461.)

JOON H. KIM

Acting United States
Attorney.
